

CLAIM OF: SAMUEL O. JONES
4395 Elk Run
Douglasville, Georgia 30135

For damages alleged to have been sustained during the removal of tree branches on August 3, 1999 at 1398 Wichita Drive, SW.

BY: JERRY L. DELOACH
DEPUTY CITY ATTORNEY

OCT 06 2003
 Rod Douglas Johnson
 MUNICIPAL CLERK

PUBLIC SAFETY &
LEGAL ADMINISTRATION COMMITTEE

DATE: 9/30/03

CHAIR

P. S. [unclear]
 [unclear]
 [unclear]
 Mary Woodward
 Clara Henderson



OFFICE OF MUNICIPAL CLERK

RHONDA DAUPHIN JOHNSON, CMC
MUNICIPAL CLERK

October 17, 2003

55 TRINITY AVENUE, S.W.
SECOND FLOOR, EAST
SUITE 2700
ATLANTA, GEORGIA 30335
(404) 330-6033
FAX (404) 658-6103

Samuel O. Jones
4395 Elk Run
Douglasville, GA 30135

03-R-1559

Dear Mr. Jones:

I sincerely regret that you have been adversely affected by the circumstances raised in your claim for damages against the City of Atlanta. Your time and patience in this matter has been greatly appreciated.

However, I must notify you that the Atlanta City Council Adopted an Adverse Report on your claim at its regular meeting on October 06, 2003. In consultation with the City's Law Department, who conducted an investigation of the situation, the Council has determined that the City cannot accept responsibility for this matter and therefore cannot pay this claim.

If you desire any further information, please contact the **City Attorney's Office/Claims Division** at (404) 330-6400.

Yours very truly,

Rhonda Dauphin Johnson, CMC
Municipal Clerk

cc: Claims Division/Law Department

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 99L0671

Date: September 16, 2003

Claimant /Victim SAMUEL O. JONES

BY: (Atty) (Ins. Co.) _____

Address: 4395 Elk Run Douglasville, Georgia 30135

Subrogation: _____ Claim for Property damage \$ 3,750.00 Bodily Injury \$ _____

Date of Notice: 10/14/99 Method: Written, proper X Improper _____

Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X

Date of Occurrence 08/03/99 Place: 1398 Wichita Drive, SW

Department Parks, Recreation and Cultural Affairs Bureau: Parks Division: _____

Employee involved _____ Disciplinary Action: _____

NATURE OF CLAIM: The claimant alleges that he sustained damages during the removal of tree branches at 1398 Wichita Drive. However, the claimant failed to provide evidence necessary to substantiate his claim.

INVESTIGATION:

Statements: City employee _____ Claimant _____ Others _____ Written _____ Oral _____

Pictures _____ Diagrams _____ Reports: Police _____ Dept Report X Other _____

Traffic citations issued: City Driver _____ Claimant Driver _____

Citation disposition: City Driver _____ Claimant Driver _____

BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial _____

Improper Notice _____ More than Six Months _____ Other X Damages reasonable _____

City not involved _____ Offer rejected _____ Compromise settlement _____

Repair/replacement by Ins. Co. _____ Repair/replacement by City Forces _____

Claimant Negligent _____ City Negligent _____ Joint _____ Claim Abandoned _____

Respectfully submitted,



INVESTIGATOR - LISA CARTER

RECOMMENDATION:

Pay \$ _____ Adverse X Account charged: 1A01 _____ 2J01 _____ 2H01 _____

Claims Manager:  Concur/date 09/16/03

Committee Action: _____ Council Action _____

RCS# 5041
10/06/03
2:05 PM

Atlanta City Council

Regular Session

CONSENT I

CONSENT I PGS 1-14

ADOPT

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 1

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Starnes	Y Fauver	NV Martin	Y Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	B Boazman	NV Woolard

CONSENT I

		10-06-03 Council Meeting
ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT	ITEMS ADVERSED ON CONSENT
1. 03-O-1475 2. 03-O-1471 3. 03-O-1438 4. 03-O-1442 5. 03-O-1452 6. 03-O-1380 7. 03-O-1478 8. 03-O-1479 9. 03-O-0953 10. 03-O-1455 11. 03-O-1476 12. 03-O-1481 13. 03-R-1498 14. 03-R-1499 15. 03-R-1582 16. 03-R-1583 17. 03-R-1502 18. 03-R-1503 19. 03-R-1505 20. 03-R-1506 21. 03-R-1507 22. 03-R-1488 23. 03-R-1489 24. 03-R-1490 25. 03-R-1491 26. 03-R-1492 27. 03-R-1495 28. 03-R-1513 29. 03-R-1514 30. 03-R-1515 31. 03-R-1516 32. 03-R-1517 33. 03-R-1518 34. 03-R-1519 35. 03-R-1520 36. 03-R-1579	37. 03-R-1521 38. 03-R-1522 39. 03-R-1523 40. 03-R-1524 41. 03-R-1525 42. 03-R-1526 43. 03-R-1527 44. 03-R-1528 45. 03-R-1529 46. 03-R-1530 47. 03-R-1531 48. 03-R-1532 49. 03-R-1533 50. 03-R-1534 51. 03-R-1535 52. 03-R-1536 53. 03-R-1537 54. 03-R-1538 55. 03-R-1539 56. 03-R-1540 57. 03-R-1541 58. 03-R-1542 59. 03-R-1543 60. 03-R-1544 61. 03-R-1545 62. 03-R-1546 63. 03-R-1547 64. 03-R-1548 65. 03-R-1549 66. 03-R-1550 67. 03-R-1551 68. 03-R-1552 69. 03-R-1553 70. 03-R-1554	71. 03-R-1555 72. 03-R-1556 73. 03-R-1557 74. 03-R-1558 75. 03-R-1559 76. 03-R-1560 77. 03-R-1561 78. 03-R-1562 79. 03-R-1563 80. 03-R-1564 81. 03-R-1565 82. 03-R-1566 83. 03-R-1567 84. 03-R-1568 85. 03-R-1569 86. 03-R-1570 87. 03-R-1571 88. 03-R-1572 89. 03-R-1573 90. 03-R-1574 91. 03-R-1575 92. 03-R-1576 93. 03-R-1577 94. 03-R-1578

Consent I Vote: 13 Yeas; 0Nays: (See RCS #5041)